

Recommendations on Information Standards

Prepared for the Criminal and Juvenile Justice Information (CJJI) Advisory Group by Management Analysis and Development (MAD) on November 9, 2018.

Background

In May 2017, Oded Galili presented to the CJJI Advisory Group a proposal to use photo identification to reduce the probably of misidentification of offenders. The advisory group created a subcommittee to vet the recommendation.

Process

The subcommittee met three times from February to June to discuss an approach for vetting the proposed photo identification standard. They identified several methods, including group discussions, surveys, listening sessions, and key informant interviews.

In the process, the subcommittee revisit Rapid ID fingerprint identification as a viable alternative because members felt it may be less likely to escalate situations, does not store data about the subject, and has already been implemented in some jurisdictions.

The subcommittee decided to hold meetings with organizations and advocacy groups to further consider Rapid ID and determine the most appropriate next step. Subcommittee members were invited to the meetings.

The subcommittee held two stakeholder meetings in August and September facilitated by MAD. Meetings included a presentation of the information and a semi-structured discussion of advantages, disadvantages, and alternatives. Below are the organizations that were invited, with **those that attended in bold**.

- ACLU
- **Battered Women's Advocacy Project**
- **City of St. Paul Community First Public Safety Initiatives**
- **Department of Public Safety Office of Justice Programs**
- **Immigrant Law Center**
- **Minnesota Alliance on Crime Identity Theft Network**
- Minnesota Chiefs-Police Association
- **Minnesota County Attorneys' Association**
- **Minnesota Sheriffs' Association**

Results

The subcommittee made the following observations from stakeholder meetings:

- Stakeholders have differing views about which method (photos or Rapid ID) would be perceived as most invasive.
- There is conflicting and sometimes inaccurate information regarding how law enforcement currently collects and uses data.
- Distrust for law enforcement-led initiatives will hinder any effort to reduce misidentification.
- Stakeholders view public engagement as the most (and, in some cases, the only) viable method to vetting identification standards.

Recommendation

The subcommittee has resolved that the current atmosphere is not conducive to the successful implementation of a way to reduce misidentification. **The subcommittee recommends tabling the issue of identification and revisiting it in two to three years.**

In the meantime, the BCA and partners can use a planned increase in the use of Rapid ID to collect data that could inform future efforts to reduce misidentification. Namely, they could study 1) whether the increased use of Rapid ID correlates with a decline in the number of misidentifications reported for crimes conducted in the same time period and 2) what reactions, if any, offenders and the public have to the use of Rapid ID.